

**March 2016**

# **A Roadmap to Country Approach to REDD+ Safeguards for Bhutan**

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### **Acknowledgement**

We would like to thank the Hon'ble Director General Mr. Chencho Norbu, Department of Forest and Park Services for his valuable guidance and support throughout the REDD+ process in Bhutan. The concept of REDD+ safeguards and its requirements which is still evolving became much clearer during Safeguards workshop coordinated by UNREDD and UNEP-WCMC. Therefore, we would like to acknowledge the support of Mr. Thomas Enters, Regional Technical Advisor, UNREDD, Bangkok and his team. We would also like to thank UNREDD/UNEP for financial and technical support. We would like to thank TWG safeguards for leading the development of this roadmap and other REDD+ Technical Working Group members for their feedbacks and active participation in the workshops.



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## Acronyms

BeRT	Benefit and Risk Tool
CAS	Country Approach to Safeguards
COP	Conference of the Parties
CBD	Convention on Biological Diversity
CSS	Country Safeguards System
DoFPS	Department of Forests and Park Services
ESMF	Environmental and Social Management Framework
FCPF	Forest Carbon Partnership Facility
FIMS	Forest Information Management System
GHG	Greenhouse Gas
GNH	Gross National Happiness
GRM	Grievance Redress Mechanism
HWC	Human Wildlife Conflict
MoAF	Ministry of Agriculture and Forests
NCCC	National Climate Change Committee
PLRs	Policies, Laws and Regulations
PPPS	Public-Private Partnerships
REDD+	Reducing Emissions from Deforestation and forest Degradation, Conservation of forest carbon stock, sustainable management of forests and enhancement of forest carbon stocks (REDD+).REDD+ SES REDD+ Social and Environmental Standards
RNR	Renewable Natural Resources
R-PP	Readiness Preparation Proposal
SEPC	Social and Environmental Principles and Criteria
SESA	Strategic Environmental and Social Assessment
TWG	Technical Working Group
UNFCCC	United Nations Framework Convention on Climate Change
UN-REDD	United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries
WMD	Watershed Management Division

## EXECUTIVE SUMMARY

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The role of forests in global climate change has been recognized by the Intergovernmental Panel on Climate Change (IPCC), the scientific arm of the UNFCCC. **Reducing Emissions from Deforestation and Forest Degradation (REDD) and conservation, sustainable management of forests and enhancement of forest carbon stock (+)** is now a global initiative to reduce carbon emissions from forests and enhance carbon absorption by providing incentives to developing countries. However, global discussions at the UNFCCC Conference of Parties (COP) agreed that implementation of REDD+ activities will create potential environmental and social risks, while at the same time generate multiple benefits. Such concerns and discourses on risks and benefits have led to the recognition of the importance of safeguards within the framework of REDD+ and the UNFCCC. In the REDD+ context, safeguards refer to technical or policy measures put in place to avoid, mitigate and manage potentially adverse social and environmental impacts, *and* enhance potential social and environmental benefits, arising from a specific REDD+ action. The Cancun safeguards, like other safeguards, help to ensure that REDD+ actions ‘do no harm’ to people or the environment, but, unlike other safeguards they also aim to ‘do good’ and enhance social and environmental benefits.. In order to implement REDD+ and be eligible for results-based payments, addressing and respecting ‘safeguards’ is mandatory. The Cancun Agreements adopted a set of ‘Seven Safeguards’ and countries should meet three fundamental safeguard-related requirements in order to be eligible for results-based payments to promote and support Cancun safeguard, Safeguard Information System (SIS), and Summary of Information. As part of the Readiness Preparation Proposal (R-PP) and to accrue other carbon payments in future, the World Bank Forest Carbon Partnership Facility’s Strategic Environmental and Social Assessment (SESA) and Environmental

and Social Framework (ESMF) frameworks are also to be considered for Bhutan. Reviewing existing literature shows that there is adequate experience of safeguards implementation in the country starting from the concept of Gross National Happiness (GNH)

As a requirement for REDD+ implementation and considering various national benefits, this Roadmap attempts to lay down important steps and identify actions for a Country Approach to Safeguards (CAS). It discusses existing systems and information related to safeguards in the Bhutanese context. It focuses on the need to have a common platform to maintain synergies. In attempting to design a CAS, the Roadmap provides guidance, experiences and steps for Bhutan to take. The Roadmap indicates the reporting requirements and necessary elements to be included in respective reporting frameworks. A situational analysis reveals that the existing PLRs generally consider Cancun safeguards, however, the detail analysis will be undertaken to see whether existing systems respect the safeguards.. This shows the potential to synergize and build on existing systems, a desired intent of many international principles.

While designing a CAS, the Roadmap reflects on best practices and country experiences. Most notably, UN-REDD Programmeme Guidance and SNV-REDD Guidance provide for logical sequencing and comprehensive elements for a CAS. The recommended steps and elements for Bhutan's CAS are:

1. Setting national goals and scope
  - a) Defining national goals on CAS
  - b) Deciding on scope of CAS
  - c) Drawing linkages with other elements of REDD+
  - d) Clarify Cancun and other relevant safeguards
  - e) Drawing linkages to national systems relating to safeguards

2. Frameworks for addressing and respecting safeguards
  - a) Review of PLRs and gap analysis
  - b) Assess benefits and risks of proposed policies and measures (PAMs) (from drivers' study and links to NS/AP)
  - c) Formulate recommendations to address safeguards including revisions of REDD+ policies and measures
  - d) Assessment of PLR effectiveness and implementation
  - e) Analyze existing institutions and capacities to implement proposed PLRs
  
3. Development of Safeguards Information System
  - a) Mapping and analysis of existing information systems and sources
  - b) Set up a system for information generation and sharing on safeguards including indicators
  - c) Generation of Summary of Information (SoI) and ESMF

The steps draw considerable experience from various workshops on REDD+ safeguards in the country and are cited as examples to guide the process. The steps also recommend some general elements to be included in the generation of Summary of Information and the ESMF.

To navigate the Roadmap and design/implement CAS, there are existing governance structures that may be tweaked or built on to mainstream safeguards system and information. Also important are some principles to mainstream multiple benefits into REDD+, economic incentives and their structures, and grievance and redress mechanisms.



# 1 FRAMING THE CONTEXT

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## 1.1 General background on REDD+ and Safeguards

The international response to climate change is negotiated annually at the Conference of Parties (COP) convened by the United Nations Framework Convention on Climate Change (UNFCCC). The role of forests in global climate change has been recognized by the Intergovernmental Panel on Climate Change (IPCC), the scientific arm of the UNFCCC. While deforestation and forest degradation contribute to greenhouse gas (GHG) emissions, forests also play a key role in mitigating climate change through carbon sequestration. The Bali Action Plan of COP13<sup>1</sup> therefore recognized the need for a comprehensive approach to mitigate climate change that should include:

*“policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries”.*

**Reducing Emissions from Deforestation and Forest Degradation (REDD), and conservation, sustainable management of forests and enhancement of forest carbon stock (+)** is now a global initiative to reduce carbon emissions from forests and enhance carbon absorption by providing incentives to developing countries.

However, global discussions at the UNFCCC COPs agreed that implementation of REDD+ activities will create potential environmental and social risks, while at the same time generate multiple benefits<sup>2</sup>. REDD+ activities may impose risks to local

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<sup>1</sup> The conceptualization and negotiations on REDD started as early as 2005 in Montreal at COP 11

<sup>2</sup> Also known as ‘co-benefits’, ‘non-carbon benefits’, ‘beyond carbon benefits’

communities, particularly those marginalized segments of the society, and the environment. On the other hand, benefits go beyond reducing GHG emissions and enhancing removals with the potential to yield important social and environmental benefits such as biodiversity conservation and provisioning of ecosystem services to improve livelihoods. For example, during the 2012 REDD+ safeguard workshop, a preliminary lists of benefits and risks from REDD+ implementation in Bhutan were discussed (Samdrup & Goodman 2013).

Such concerns and discourses on risks and benefits have led to the recognition of the importance of safeguards within the framework of REDD+ and UNFCCC. Safeguards are provisions designed as precautionary measures to mitigate risks that REDD+ activities may impose. Safeguards are based on the premise that interventions can ensure that REDD+ implementation ‘do no harm’ to the people or environment and at the same time ‘do more good’ to enhance social and environmental benefits. Safeguards are an essential requirement of many projects including World Bank projects. While requirements and frameworks vary, they are founded on similar principles and can be synergized. The UNFCCC and World Bank safeguards requirements are elaborated as key to navigating the roadmap (Table 1).

While important decisions on REDD+ can be traced from COP13 at Bali, concrete directions were provided by the Cancun Agreements at COP16. The Cancun Agreements specified a three-phased approach to REDD as follows:

- Phase I – Readiness
- Phase II – Implementation
- Phased III – Results-based actions

The Cancun Agreements also defined safeguards as those principles or conditions which should be promoted and supported so that people and the environment are not harmed by, but actually

benefit from REDD+ activities. The UNFCCC agreed to a set of **seven safeguards** for REDD+ referred to as Cancun safeguards.

## **1.2 Bhutan's REDD+ approach**

Due to an enabling policy and institution environment, Bhutan has decided to pursue REDD+. The country's rich forest cover will provide opportunities to build technical capacity for sustainable resource management and for potential benefits from REDD+ post-2020 that will support conservation efforts. Indeed, Intended Nationally Determined Contributions (INDC 2015<sup>3</sup>) of Bhutan places special emphasis on forests regarding climate change mitigation efforts. The sequestration capacity of vast expanse of forests makes the country a net sink for GHG. The Constitution of the Kingdom of Bhutan mandates that the country maintain a minimum of sixty percent of total land area under forest cover in perpetuity.

Bhutan is currently in Phase I of REDD+. During the Readiness phase, Bhutan should already benefit in terms of establishing a system to monitor forest cover changes and laying the foundation for improving forest management and governance. Bhutan's decision to prepare for REDD+ paved way to the Readiness Preparation Proposal submitted to the Forest Carbon Facility Partnership of the World Bank in December 2013. The REDD+ Programmeme (Phase I) is being implemented from 2014 to 2018. It will lead to the development of a National REDD+ Strategy and implementation framework. In addition, other REDD+ design elements will be developed and integrated in the strategy.

RPP implementation is progressing on several fronts. Advocacy, awareness and consultation are continuously organized across the country. Manuals, documents, guidelines and reports are finalized as per R-PP requirements. An Action Plan for National Forest

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<sup>3</sup> [www4.unfccc.int/INDC/Bhutan](http://www4.unfccc.int/INDC/Bhutan)

Monitoring System (NFMS) has been developed and approved in January 2015. It details out activities to be implemented for establishing the NFMS. Actions to strengthen governance and safeguard mechanism are being initiated. This Safeguard Roadmap is therefore timely and appropriate as other important REDD+ steps are being initiated including a Drivers Study and Strategy Options. Stakeholder Engagement Guideline and Corruption Risk Assessment studies will provide good basis for Safeguards.

### **1.3 REDD+ Activities and the Four Design Elements or Components of REDD+**

Some concrete decisions and clear directions on REDD+ were provided by the Cancun Agreements at COP 16. Specifically, Decision 1/CP.16 focused on ‘enhanced action on mitigation’ and addressed policy approaches and positive incentives on REDD+. Following the COP 15 in Copenhagen, the Cancun Agreements presented a fairly complete structure for developing countries engaging in REDD+. The four design elements of REDD+ is in Figure 1.

- The identification of what are now called the ‘five REDD+ activities’ (para. 70):
  - Reducing emissions from deforestation;
  - Reducing emissions from forest degradation;
  - Conservation of forest carbon stocks;
  - Sustainable management of forests;
  - Enhancement of forest carbon stocks.
  
- When engaging in REDD+ activities, countries are requested to develop (para. 71):
  - A national strategy or action plan;

- A national forest REL/RL, or as an interim measure if appropriate, a sub-national forest REL/RL, in accordance with national circumstances;
- A robust and transparent national forest monitoring system for the monitoring and reporting of the REDD+ activities, and, if appropriate, subnational monitoring and reporting as an interim measure in accordance with national circumstances;
- A system for providing information on how safeguards are being addressed and respected throughout the implementation of REDD+ activities.



Figure 1. The four design elements

## 1.4 Understanding Safeguards and various requirements

In order to implement REDD+ and be eligible for results-based payments or other related fiscal incentives from other mechanisms including voluntary markets, addressing and respecting ‘Safeguards’ is mandatory (Box 1). The various safeguards and their requirements are discussed below

*Box 1: Definitions of ‘address’ and ‘respect’ safeguards*

“Address” is understood to mean ensuring that a coherent body of policies, laws, regulations (PLRs), and associated institutional arrangements, are in place, on paper, to deal with the potential benefits and risks associated with REDD+ actions.

“Respect” is understood to mean that these PLRs are effectively implemented and enforced, in practice, through relevant institutional capacities and effect real and positive outcomes on the ground.

### 1.4.1 UNFCCC Requirements

Safeguards have been discussed throughout the COPs, and various decisions have been made (Annex 5.1 for relevant decisions on Safeguards). The Cancun Agreements included the guidance and safeguards for policy and approaches and positive incentives for the REDD+ activities. The Cancun Agreements adopted a set of ‘Seven Safeguards’ that countries should be promoted and supported when implementing REDD+ activities or actions. The Safeguards are:

- a) *Actions should complement or are consistent with the objectives of national forest Programmes and relevant international conventions and agreements;*
- b) *Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;*
- c) *Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account*

- relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous People.*
- d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities;*
  - e) Actions have to be consistent with the conservation of natural forests and biological diversity, ensuring that REDD+ activities are not used for the conversion of natural forests, but are instead used to incentivise the protection and conservation of natural forests their ecosystem services, and to enhance other social and environmental benefits;*
  - f) Actions to address the risks of reversals; and*
  - g) Actions to reduce displacement of emissions.*

Developing countries seeking to implement national REDD+ strategies/action plans (NS/APs) under the UNFCCC should meet three fundamental safeguard-related requirements to be eligible for results-based finance:

1. Cancun Safeguards – countries should promote and support the Cancun safeguards throughout REDD+ implementation;
2. Safeguards information system (SIS) – countries should develop a system for providing information on how the Cancun safeguards are being addressed and respected; and
3. Summary of information – countries should provide a summary of information on how all the Cancun safeguards are being addressed and respected throughout the implementation of REDD+ actions.

The Cancun Safeguards outline the general framework for risk mitigation and multiple benefit enhancement for implementation of REDD+ activities. Safeguards are a set of broad principles that should be addressed and respected through a country-led approach

that allows countries to interpret the requirements of the Cancun Safeguards in order to ensure they can apply them to their own contexts and circumstances.

The COP 17 in Durban also provided fundamental premises on which safeguards should be founded. At the COP 19 in Warsaw, the Parties decided (Decision 9/CP.19) that summaries of information on safeguards should be submitted through National Communications or other agreed communications channels and, on a voluntary basis, via the REDD+ Web Platform (<http://redd.unfccc.int/>) (Decision 12/CP.17; Decision 12/CP.19)

### 1.4.2 Other Safeguards

Various multilateral and bilateral initiatives are also providing support for REDD+ readiness activities. These multilateral initiatives have developed their own safeguard frameworks applicable to REDD+ readiness and demonstration activities that they financially support. Those relevant to Bhutan are listed below in Table 1.

Table 1: List of relevant safeguards for Bhutan’s REDD+ Programme

<b>Initiatives and Agencies</b>	<b>Safeguards</b>	<b>Requirement and reasons</b>
UNFCCC	Seven Cancun Safeguards	Mandatory under various COP decisions
World Bank Forest Carbon Partnership Facility	Strategic Environmental and Social Assessment (SESA)  Environmental and Social Management Framework (ESMF)	Mandatory as required by R-PP and obligation to FCPF as funding agency

### **1.4.3 National experiences with Safeguards**

Most safeguard requirements recommend building on existing systems. The recent review of policies, laws and regulations (PLR) indicates that Bhutan's existing PLR framework addresses REDD+ safeguards to a large extent (WMD 2015b). The fundamental premise for Bhutan is the development philosophy of Gross National Happiness (GNH), which seeks to achieve balanced sustainable development to mutually reinforce social, economic, and environmental goals all under a framework of good governance. In other words, the concept of GNH addresses environmental and social safeguards within mainstream development. Therefore, PLRs in Bhutan ranging from the Constitution to the local government legislations have some form of safeguards to build upon.

In the forestry sector, there is also a good level of experience in implementing community forestry Programmes, payment for environmental services schemes, access and benefit-sharing projects. At the project level, the forestry sector has been involved in implementing various World Bank and GEF related projects. These projects required the preparation of social and environmental safeguards framework and assessing the impact of implementation. All these provide fairly adequate experiences in addressing and respecting safeguards within forestry.

## **2 THE ROADMAP TO DEVELOPING COUNTRY SAFEGUARD SYSTEM**

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### **2.1 Objectives and Scope of the Roadmap**

Given the importance of safeguards requirements Country Approach to Safeguards (CAS) needs to be carefully planned and developed This will enable Bhutan to respond to the relevant and applicable international covenants in a country-driven and effective manner and to strengthen where necessary the existing legal, institutional and compliance frameworks and policies. It will also avoid duplication of efforts and reduce costs.

CAS seeks to build on existing country structures and ensures that they can demonstrate compliance with safeguards, rather than invent new systems in response to the demands of individual donors, investors and programme. The CAS attempts to define which safeguards are to be applied in the country, the manner in which they will be implemented and to which activities or sectors they will apply. In defining safeguards outlook and approach for Bhutan, the roadmap addresses key strategic questions (Box 2).

The main objective of this Roadmap is to lay down important steps, identify actions and who should implement the actions to inform Country Approach to Safeguards for Bhutan. It takes stock of existing platforms and systems that should inform the country approach. In doing so, it looks at existing and required governance structures and experiences in information or processes related to SIS and stakeholder involvement. The Roadmap also provides

guidance based on the documented experiences from relevant agencies such as UN-REDD Progra-mme, SNV) and other countries. Based on the analysis, the Roadmap recommends steps for designing and implementing a Safeguards System, including the development of a safeguards information system. These are based on some principles meeting national contexts, donor and international requirements. The Roadmap highlights the importance of clarifying Cancun Safeguards in the Bhutanese context.

### *Box 2: Key strategic questions*

1. What kind of systems exist and how can synergies be ensured?
2. Who are the key stakeholders and what are their capacities?
3. What are we trying to achieve?
4. How will we achieve it and when?
5. What kind of lessons and experiences exist?
6. What kind of systems exist and how can synergies be ensured?
7. Who are the key stakeholders and what are their capacities?
8. What are we trying to achieve?
9. How will we achieve it and when?
10. What kind of lessons and experiences exist?

The Roadmap provides important linkages to other components of the REDD+ process, including NS/AP, NFMS, and FRL/FREL. The Roadmap also recommends that PLRs have clear linkages to other relevant strategies and actions of the country, such as the National Biodiversity Strategies and Action Plan, National Forest Policy and other PLRs.

## **2.2 Contents of the Roadmap**

As safeguards within the context of REDD+ are a relatively new field and experiences are few, the Roadmap provides basic introduction to REDD+ evolvment and safeguards. It discusses existing systems and information related to safeguards in the Bhutanese context. It focuses on the need to have a common

platform to maintain synergies. In attempting to design a CAS, the Roadmap discusses various guidance and experiences and provides recommended steps. The Roadmap discusses the reporting requirements and necessary elements to be included in respective reporting frameworks.

## **2.3 Situational analysis and the need for synergies**

As Bhutan has expressed interest in REDD+ implementation, the primary purpose will be to meet the UNFCCC requirements. However, this Roadmap attempts to discuss synergies and linkages to other safeguards and existing provisions or systems.

### **2.3.1 Safeguards in existing PLRs**

The initial PLR review as part of the Bhutan's REDD+ process (WMD 2015b) listed about 22 relevant PLRs in the country (Annex 5.3). PLRs cover a range of relevant issues including: governance and development; forests, biodiversity and environment; agriculture and nutrition; and water resources. Conducive to REDD+ safeguards, PLRs range from the Constitution, which has explicit chapters on environment and rights of people, to local-level legislation, which requires participatory approaches. As indicated, there are adequate numbers of environmental and forestry-related PLRs addressing several environmental safeguards. According to the review, existing PLRs are generally in favour of REDD+ safeguards, providing a strong base to REDD+ development.. However, the review has some missing PLRs and also lacks a gap analysis, which should be undertaken as part of safeguard system assessment safeguards requirements in R-PP

The R-PP clearly spells out the need to assess social and environmental impacts during the readiness phase and REDD+ implementation. SESA will be carried out during the readiness

phase with an ESMF as an output. The R-PP identifies clear institutions and frameworks for safeguards, which are similar to Cancun safeguards. The SESA will follow on from the study on Drivers of Deforestation and Forest Degradation and SESA & drivers study with safeguard considerations should be integrated into the design of the strategy options. The SESA and ESMF experience during the readiness phase should already substantiate safeguards integration and capacity for REDD+ implementation in Bhutan. The impact measures and monitoring framework for SESA and the preparation for ESMF should provide good inputs to developing the SIS and preparing the Sol.

### **2.3.2 Safeguards in forestry and other relevant sectors**

Many PLRs within the environment and forestry sectors are addressing safeguards. Although more than half of the country is under protected areas system, Bhutan's protected areas have communities residing inside, unlike protected areas in some other countries. Forest management follows participatory approaches to planning, where local residents are fully involved and their rights are respected. In the last decades, community forests have proliferated across the country. The number of community forests have reached 600 in 2015 (MoAF 2015), doubling double the 2011 figure (DoFPS 2011). The community forest model has all ingredients of safeguards. They are based on interests of the local communities, sustainable forest management principles and grounded on principles of good governance. While the expansion of community forests in the recent years led to a range of issues including corruption and collusion of powers (Dorji & Schmidt 2014), the community forest model provides good experience for REDD+ implementation and safeguards in the local context.

In the area of payment for environmental services (PES), the country has initiated a few pilot PES projects which provide good lessons for implementing REDD+ (WMD 2015a), including

safeguards. The country's PES Framework (WMD 2015a) provides a good basis for integrating local needs and governance arrangements. Lessons can also be drawn from the National Biodiversity Strategy and Action Plan (NBSAP) (NBC 2014). Although the NBSAP does not explicitly mention safeguards, most of the national targets<sup>4</sup> address social and/or environmental safeguards.

### **2.3.3 Potential sources for Safeguards-related Information**

In mapping potential sources for safeguards-related information, the following reports may provide information for a SIS:

- National Population and Housing Census (2005, 2015), which provides demographic data, (e.g population growth trends, rural-urban migration).
- Gross National Happiness Survey (2010, 2015), which measures national progress towards the four pillars and nine domains and GNH – the relevant ones include living standards, cultural diversity and resilience, community vitality, ecological diversity and resilience, good governance.
- National Statistics Bureau Annual Statistical Year Book provides national information. In addition, the Bureau conducts regular surveys and provides regular reports on living standards and poverty.
- Renewable Natural Resources Statistics produced yearly by the Ministry of Agriculture and Forests provide information related to forestry and farmer's dependence on natural resources.
- Poverty-Environment Initiative of the UNDP and UNEP can also provide useful information on safeguards.
- World Bank's country poverty assessments reports (Bhutan poverty assessment report 2014).

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<sup>4</sup> [www.cbd.int/doc/world/bt/bt-nbsap-v4-en-.pdf](http://www.cbd.int/doc/world/bt/bt-nbsap-v4-en-.pdf)

- National Environment Commission produces regular reports on environmental status and policy environment of which those relevant would be concerning environment assessments and linkages to environmental PLRs in the country.
- Within the Department of Forests and Park Services, the Forest Information Management System collects and collates forestry related data including the dependence of local communities on forests and forestry resources.

## **2.4 Designing a Country Approach to Safeguards**

While the UNFCCC specifies the requirement for safeguards (including a SIS), there is no prescribed methodological framework for a country approach to safeguards. They may vary depending on specific national circumstances as well as on what a country defines as the overall goals and scope of safeguards application. Indeed, application of safeguards vary from country to country with contextual differences. Country approaches are evolving and examples are growing. Vietnam has a roadmap outlining key issues in clarifying the Cancun Safeguards (Rey *et al.* 2014) based on the conceptual framework provided by SNV (Rey & Swan 2014; Rey *et al.* 2013). The UN-REDD Programme provides some generic steps to developing CAS including tools such as CAST and BERT (UN-REDD 2015b) while SESA and ESMF under FCPF REDD+ Readiness will also generate information for developing SIS (Fig. 2).

### **2.4.1 SESA and ESMF for FCPF REDD+ Readiness**

The FCPF applies Strategic Environmental and Social Assessments (SESA) and Environmental and Social Management Frameworks (ESMF) to ensure REDD+ readiness and demonstration activities comply with the World Bank requirements. SESA/ESMF, along with other safeguard tools will

ensure that REDD+ maximizes social, cultural, economical and environmental goods whilst avoiding or mitigating harm.

#### **2.4.2 UN-REDD Programme Guidance to CAS**

The Country Approach to Safeguards Tool (CAST) of the UNREDD Programme can support national level planning of the activities related to REDD+ safeguards and SIS. CAST can identify and prioritize activities to develop or further develop country approach to safeguards in the context of the national REDD+ strategy. The Benefits and Risks Tool (BeRT) can help in reviewing existing PLRs and identifying those PLRs that address risks and enhance benefits from REDD+.

However, all safeguards tools generally contribute to development of country safeguard system. SESA/ESMF is therefore not entirely separate/different from country approach to safeguards of UN-REDD. The generic steps (Figure 2) may be useful in achieving

the UNFCCC safeguard requirements. A CAS is not a linear process and tasks should be adjusted in their detailed content and sequenced to meet the country needs and realities. Countries may decide to undertake any number of these steps or, in any sequence, depending on their specific context. Important iterative feedback loops between various steps are indicated in the figure 2 for clarity, and should be kept in mind throughout the country approach process. Also crucial links of the CAS to the SESA and ESMF process are highlighted.

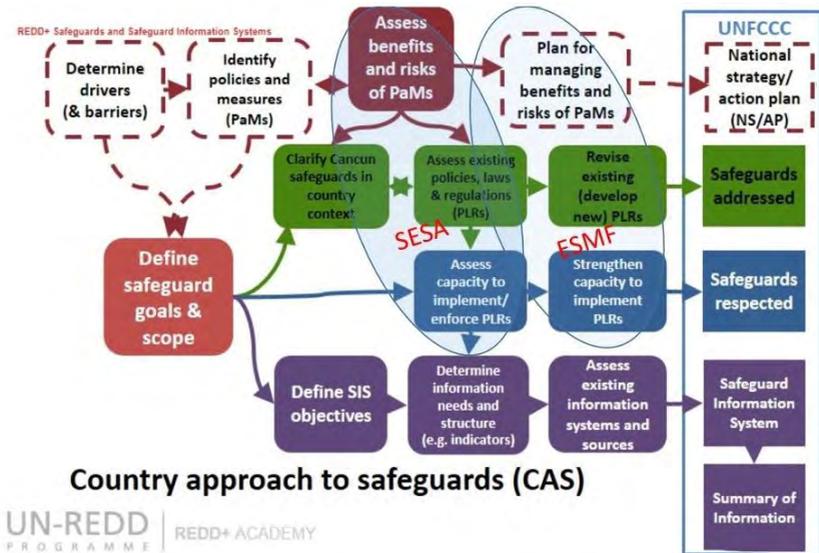


Figure 2: Generic steps to developing a country approach to Safeguards (UNREDD)

### 2.4.3 Guidance for a SIS

COP 17 in Durban decided that the SIS should, in taking account national circumstances and respective capabilities, and recognizing national sovereignty and legislation, and relevant international obligations and agreements, and respecting gender considerations:

- *provide transparent and consistent information that is accessible by all relevant stakeholders and updated on a regular basis;*
- *be transparent and flexible to allow for improvements over time;*
- *be country-driven and implemented at the national level;*
- *and build upon existing systems, as appropriate.*

## 2.4.4 Benefits of implementing a CAS

There are many benefits and advantages of implementing a CAS (Box 3). They include, among others – equitable distribution of benefits, increasing investments, meet international requirements, accelerate benefits (Peskett & Todd 2013).

Box 3: Benefits of Country Safeguard System (Rey et al 2013)

**Control over the safeguards that are implemented:** It allows the country to define which safeguards are to be implemented in the country.

**Control over the activities that are subject to safeguards:** It allows the country to define in which cases safeguards are to be promoted and applied.

**Retention of National Sovereignty:** It avoids having to have separate systems for all bilateral or multilateral institutions or initiatives operating in the country (through demonstration of equivalency by the CSS).

**Country ownership:** This is in line with the Paris Declaration and Accra Agenda for action, which recognizes that it is the norm for aid recipients to develop their own national development strategies.

**The ability to tailor systems to each country:** It is specifically tailored to the country's context and can reflect the uniqueness of a country's circumstances, particularly in terms of opportunities and challenges for the implementation of safeguards.

**Cost-effectiveness:** It avoids the burden of having to respond individually or having to integrate multiple external international safeguard framework.

**Flexibility:** A strong CSS would also provide flexibility to integrate the requirements of new Programmes and international requirements, speeding up their implementation and making the country more attractive to donors, investors and Programme implementers.

In the case of Bhutan, a CAS will be useful to, but not limited to, the following:

- Helping analyze existing systems, information and capacities related to social and environmental safeguards
- Meeting UNFCCC and other donor requirements to increase investments and at the same time help coordinate REDD+ activities
- Helping analyze existing policies to understand their effectiveness
- Delivering additional benefits from REDD+ including other ecosystem services besides carbon sequestration

- Contributing to country INDC implementation particularly on mitigation strategies
- Designing a common platform for improved reporting

## **2.5 Recommended Steps for Bhutan's CAS**

In reviewing some key guidance and examples discussed above and based on the recent as well as existing experiences, below are the recommended steps and elements in implementing the Bhutan CAS.

1. Setting a national goal and scope
  - a) Defining a national goal
  - b) Deciding on scope
  - c) Linkages with other four key elements of REDD+
  - d) Clarify Cancun and other relevant safeguards
  - e) Linkages to national systems
  
2. Frameworks for implementing safeguards
  - a) Review of PLR and gap analysis
  - b) Assess benefits and risks of proposed PAMS (from drivers' study and link to NS/AP)
  - c) Formulate recommendations to address safeguards including revisions of REDD+ actions
  - d) Assessment of PLR effectiveness and implementation
  - e) Analyze existing institutions and capacities to implement proposed PLRs
  
3. Development of Safeguards Information System
  - a) Mapping and analysis of existing information systems and sources
  - b) Set up a system for information generation and sharing on safeguards including indicators
  - c) Generation of SoI

The steps are described in detail as follows:

## **Step 1: Setting a national goal and scope**

### *1a. Defining a national goal*

The key to implementing a CAS is understanding the purpose of adopting national safeguards system or approach. As a potential REDD+ country, the primary objective will be to respond to international and donor requirements for becoming eligible for results-based payments. Additionally, as highlighted earlier, a country may want to explore other benefits of safeguards including the strengthening or streamlining of nationally agreed safeguard commitments.

REDD+ implementation in Bhutan will contribute to achieving the INDC. Therefore, the overall goal of national REDD+ strategy must be in line with country's GNH and environment policies. The purpose of REDD+ implementation will be clearly spelt out by the REDD+ strategy options. However, CAS will ensure the inclusion of environmental and social safeguards including governance, multiple benefits and benefit sharing. As a country committed to conservation, the Policies and Measures (PAMs) for implementing REDD+ust clearly demonstrate multiple benefits beyond carbon, including conservation and livelihoods.

### *1b. Deciding on scope of CAS*

Prior to implementing a CAS and developing a SIS, a country needs to determine which REDD+ activities and actions it intends to implement, which to some extent will then determine the scope of the SIS. Three broad options are: i) a REDD+-specific system; ii) a sector-wide system; and iii) a cross-sectoral system (Fig. 3).

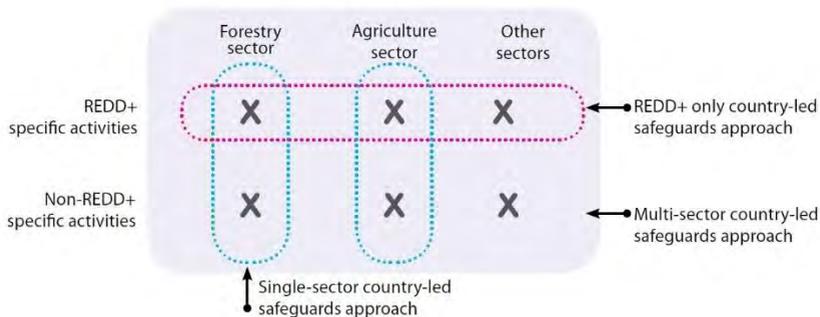


Figure 3: Potential scope of different approaches to a country safeguards system (Rey *et al.* 2013)

Comparative advantages and disadvantages of these approaches in terms of safeguards coverage, compliance with international and national obligations, are outlined in Table 2 (SNV REDD+). As is evident from the details provided in different columns, the three options could be arranged as a phased approach to developing a comprehensive CAS for land-based activities, driven by REDD+. For example, a CAS developed initially for REDD+ alone could be expanded to include wider activities within one or more target sectors funded through other means, such as regular budgetary support or payments for other ecosystem services. Reference to Annex 5.8 may prove useful.

Table 2: Main advantages and disadvantages of different scopes for a country safeguards system (Rey *et al.* 2013)

Feature	REDD+ Specific safeguard system	Single-Sector safeguard system	Cross-Sectoral safeguard system
<b>Safeguard Coverage</b>	<p><b>Advantages:</b> Ensure compliance with REDD+ safeguards only when implemented REDD+ activities (as defined in paragraph 701/CP.16)</p> <p><b>Disadvantages:</b> Does not ensure compliance with safeguards outside of the scope of REDD+ activities</p>	<p><b>Advantages:</b> Ensure sector-wide compliance with safeguards in all operations and activities defined by the sector, which can go beyond REDD+ activities</p> <p><b>Disadvantages:</b> Does not ensure the safeguards applied by the sector wide system, are not undermined by other sectors</p>	<p><b>Advantages:</b> Ensure a holistic and systematic compliance with safeguards from all sectors involved in the system. This system offers a clear opportunity to ensure that the safeguards being applied by sectors are not undermined or inconsistently applied by other sectors</p> <p><b>Disadvantages:</b> More challenging to coordinate its effective implementation</p>
	<p><b>Advantages:</b> Promote compliance with UNFCCC REDD+ safeguards and decisions</p>	<p><b>Advantages:</b> Ensure sector-wide compliance with all international legal</p>	<p><b>Advantages:</b> Promote a holistic, systematic and coherent implementation of international legal obligations that</p>

<p><b>Compliance with international legal obligations</b></p>	<p><b>Disadvantages:</b> Only ensures compliance with international obligations that are relevant and applicable to REDD+ safeguards and activities</p>	<p>obligations relevant or applicable to the sector.</p> <p><b>Disadvantages:</b> The coherent implementation of international legal obligations by this sector can be undermined by other sectors</p>	<p>are relevant and applicable to the country</p> <p><b>Disadvantages:</b> More challenging to coordinate its effective implementation</p>
<p><b>Compliance with legal and institutional frameworks</b></p>	<p><b>Advantages:</b> Promote compliance with the legal and institutional frameworks relevant to the REDD+ safeguards</p> <p><b>Disadvantages:</b> Only promotes compliance with the legal and institutional framework when implementing REDD+ activities</p>	<p><b>Advantages:</b> Promote compliance with the legal and institutional framework relevant to the safeguards adopted by the sector</p> <p><b>Disadvantages:</b> Compliance with the legal and institutional framework relevant to the safeguards adopted by the sector</p>	<p><b>Advantages:</b> Promote compliance with the legal and institutional frameworks that are relevant and applicable to the safeguards, in a systematic and coherent manner by all sectors involved</p> <p><b>Disadvantages:</b> Requires a robust legal and institutional framework applicable to all sectors</p>

		could be undermined by other sectors	
<p align="center"><b>Monitoring and reporting</b></p>	<p><b>Advantages:</b> Promote a clear mechanism (s) to demonstrate compliance with the REDD+ safeguards and UNFCCC decisions</p> <p><b>Disadvantages:</b> Only demonstrate applications of REDD+ safeguards through the implementation of REDD+ activities</p>	<p><b>Advantages:</b> Promote demonstration of compliance with safeguards in the activities and operations of the sector, which can go beyond REDD+ activities</p> <p><b>Disadvantages:</b> Monitoring and reporting could be more complex, in particular if safeguards effectively implemented by the sector are undermined by another sector</p>	<p><b>Advantages:</b> Promote a clear and consistent demonstration of compliance with the safeguards by all sectors involved</p> <p><b>Disadvantages:</b> Monitoring and reporting from all sectors could be complex and coordinate</p>

For Bhutan, the drivers study will propose candidate REDD+ activities.. As a high forest and low deforestation (HFLD) country, it is expected that REDD+ scope will extend beyond forestry sector, given the pressure from agriculture and other sectors. This will be further substantiated by the drivers study which will indicate both direct and indirect drivers.

#### *1c. Linkages with other elements of REDD+*

It is vital to maintain the linkages and complementarities within all four elements of REDD+ elements. Therefore, CAS must make appropriate linkages to the other three key elements. The key linkages to respective elements of REDD+ will be mentioned and discussed throughout these steps. Essentially, safeguards will build upon the PAMs and inform the prioritization of options within NS/AP and link to the NFMS for monitoring and reporting. Linkages between NFMS and SIS are important and they should complement each other.

#### *1d. Clarifying Cancun and other relevant safeguards*

The Cancun safeguards are broad statements or principles of aspirational intent at global level. However, how each country understand or interpret in its own circumstances, capacities and context may differ. It is therefore important to unpack what these safeguards mean for Bhutan. In other words, it is important to understand what Cancun safeguards mean to our context in particular circumstances. While building on existing safeguards within the country and comparing them with Cancun safeguards, it may result in additional safeguards in the Bhutanese context. The Cancun safeguards need to be clarified, broken down into country-relevant themes, *before* assessing PLRs, as the Cancun safeguards themselves are too broad to assess how existing policies, laws and regulations (PLRs) might address each safeguard.

The Guidelines by Client Earth provides good linkages and complementarity between the Cancun safeguards and other

safeguards or Frameworks including the World Bank and REDD+ SES (Rey *et al.* 2013). The guidelines also distill salient features of the Cancun safeguards which will be useful to clarify in country context (Box 4). In addition, the UN-REDD Programme guidance on unpacking or clarifying Cancun safeguards (UN-REDD Programme 2015b) provides clarity in steps in clarifying safeguards (Annex 5.2 & 5.8).

*Box 4: Interpretation Framework for Core Cancun Safeguards Components (Rey et al. 2013)*

***UNFCCC Safeguard A:***

1. Complement or Consistent with the Objective of National Forest Programmes
2. Complement or Consistent with Relevant International Conventions and Agreements

***UNFCCC Safeguard B:***

1. Transparency, which is comprised of:
  - (i) Right of Access to Information
  - (ii) Institutions to Ensure Access and Distribution of Information
  - (iii) Promoting Public Awareness on Access to Information
  - (iv) Accountability
2. Effective National Forest Governance, which is comprised of:
  - (i) Appropriate Legal Framework
    - Clear Land Tenure Rights
    - Equitable Distribution of Benefits
    - Gender and Equality
  - (ii) Appropriate Institutional Framework
  - (iii) Participation in Decision-Making Processes that Affect the Environment
  - (iv) Adequate Access to Justice
  - (v) Integration of Social, Economic and Environmental Considerations and Cross-Sectoral Coordination

***UNFCCC Safeguard C***

1. Defining Indigenous Peoples, Members of Local Communities and Knowledge
  - (i) Defining Indigenous Peoples and Local Communities
  - (ii) Respecting 'Knowledge'

## 2. Recognition and Implementation of Rights in Accordance with International Law

- (i) Non-Discrimination
- (ii) Self-Determination
- (iii) Rights Associated with Culture
- (iv) Collective Land Tenure
- (v) Benefit-Sharing
- (vi) Procedural Rights

### ***UNFCCC Safeguard D***

#### 1. Recognition and Implementation of Procedural Rights

#### 2. Creating an Enabling Environment for an Effective Participation

- (i) Identification of Relevant Stakeholders
- (ii) Providing Access to Information
- (iii) Implementing Participatory Mechanisms
- (iv) Conflict Resolution Mechanisms

#### 3. Effective Participation of Indigenous Peoples and Local Communities

- (i) Creating an Enabling Environment
- (ii) Free, Prior and Informed Consent

### ***UNFCCC Safeguard E***

#### 1. No Conversion of Natural Forests

- (i) Defining Natural Forest
- (ii) Prohibiting the Conversion of Natural Forests

#### 2. Protection and Conservation of Natural Forests and Biodiversity

- (i) Identifying Natural Forests and Biodiversity
- (ii) Implementing Measures to Protect Biodiversity
- (iii) Supporting Conservation Research and Awareness-Raising
- (iv) Integration of Biodiversity in Cross-Sectoral Policies
- (v) Enhancement of Other Benefits

### ***UNFCCC Safeguard F & G***

#### 1. Monitoring and Assessment

#### 2. Measures to Avoid Reversals and Displacement

- (i) General Measures
- (ii) Measures to Tackle Reversals
- (iii) Measures to Tackle Displacement

#### 3. International Cooperation

### *1e. Linkages to national systems*

The next step is to link them to the national systems for addressing and respecting safeguards. As indicated earlier, there is an adequate system and experience in implementing safeguards. It is therefore suggested to link to existing information and reporting systems. This reinforces the need to build and link on existing systems.

## **Step 2. Frameworks for addressing and respecting safeguards**

A key requirement of the UNFCCC and donors is to demonstrate that a country addresses and respects Cancun and other relevant safeguards in the implementation of REDD+ activities.

### *2a. Review of PLRs and gap analysis (existing draft report)*

An assessment of existing PLRs provides an overview of how safeguards are currently addressed. In other words, it shows how existing systems ensure that safeguards are in place. A gap analysis will indicate the gaps, if any, for each Cancun safeguard. This may inform the need to revise existing or develop new PLRs to address those gaps in order to meet requirements. For example, the Forest and Nature Conservation Bill is being drafted, and REDD+ considerations are being discussed. A partial PLR for Bhutan has already been done (Annex 5.3). The PLR review also provides good reference to the Cancun safeguards. An example is highlighted in Table 3 below:

Table 3: Example of how PLR addresses safeguards

<b>Name of PLR</b>	<b>Complementary clause to REDD+ safeguards</b>	<b>UNFCCC REDD+ Safeguards</b>
Economic Development Policy of the Kingdom of Bhutan 2010	Incentives for promotion of green technology Environmental conservation efforts as main drivers for "Brand Bhutan" theme All waste management plants exempted from custom duty and sales tax for 15 years and land provided on nominal lease	Safeguard E  Safeguard G

The PLR review still needs to be completed. There is a need to include additional PLRs including the Water Act, CSO Act, amendments to new legislations, Access and Benefit Sharing Policy, National Gender Policy, National Biodiversity Strategies and Action Plan, National Action Programme to Combat Land Degradation, Public Finance Act, relevant international obligations, Conventions and Treaties. An in-house review on the existing PLR should not only look at ‘PLRs’ in a narrow sense but also consider processes, initiatives and systems such as the existing Non-Formal Education, Stakeholder Engagement Guidelines, the Corruption Risk Assessment and existing grievance and redress mechanisms.

*2b. Assess benefits and risks of proposed PAMs as proposed by the NS/AP*

In addition to the PLR analysis, the identification of benefits and risks of proposed REDD+ actions need to be carried out through stakeholder consultations. The UN-REDD Programme’s BeRT (Benefits and Risks Tool) were tested twice in the country and found effective and useful in identifying various risks and benefits associated with REDD+ actions or PAMs. BeRT<sup>5</sup> can provide useful contents in terms of addressing safeguards while developing the summary of information. BeRT is interactive through its three modules (See Table 4) and through multi-stakeholder consultations generate (UN-REDD 2015a):

- a table of REDD+ actions or proposed PAMs;
- a table of potential benefits and risks related to each of the seven safeguards; and
- and a table of existing PLRs that address the safeguards, how the PLRs address the benefits and risks and a list of gaps in the PLRs.

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<sup>5</sup> UN-REDD Programme BeRTv2-15 05 19 EN- (790544).xlsm

The first Module, documents the REDD+ actions are discussed below (Table 5).

Table 4: Three modules of BeRT tool

<b><i>Module 1</i></b>	<p>Objective: Documenting REDD+ actions that are anticipated in the country (or if this is not clear yet, REDD+ actions that might be feasible) and how these fall under the 5 REDD+ activities listed by the UNFCCC.</p> <p>Output: Table of REDD+ actions</p>
<b><i>Module 2</i></b>	<p>Objective: Identifying the potential benefits and risks of the REDD+ actions documented in Module 1.</p> <p>Output: Table of potential benefits and risks under each of the Cancun safeguards, with a qualitative assessment of the impact and probability of benefits and risks identified.</p>
<b><i>Module 3</i></b>	<p>Objective: Identifying existing PLRs that address the benefits and risks; identifying gaps in coverage; and whether there are any PLRs that conflict with the safeguards.</p> <p>Output: Table of existing PLRs that address the Cancun safeguards, an assessment of how well they address the benefits and risks identified and a list of gaps in PLRs.</p>

Table 5: Potential candidate REDD+ actions and sub-actions for Bhutan

Actions	Sub-Actions
1. Scientific management of forest	a) Sustainable management of FMUs/WS
	b) Management of Forests Areas Outside FMU System through Scientific Planning & monitoring
	c) Strengthen low-impact logging practices through introduction of cable logging to other regimes too
	d) Improvement of wood technology to reduce wastage of timber during conversion process through providing subsidies on new technology and development & implementation of up-gradation guidelines
	e) Streamline & strengthen forest information system (by strengthening spatial & non-spatial data) (maintain digitized database on rural timber supply)
2. Conservation of forest landscapes and biodiversity	a) Protected areas management based on functional zones to integrate conservation and development
	b) Forest Areas of Natural, Historical, Cultural significance identified & established as Heritage Sites, Reserves, Recreational Sites
	c) Develop and implement management plans for degraded/critical watersheds
3. Strengthen stakeholder participation in forest management and conservation	a) Enhance engagement of stakeholders and in particular local communities
	b) Capacity development of CFMGs for better CF management
	c) Income and employment generation through development of NWFP based enterprise
	d) Up-scale and implement of community-based conservation Programmes like community-based eco-tourism, CFs, etc.

4. Strengthen law enforcement to reduce forest offences	a) Efficient litigation process for forest offences through capacity building of law enforcement bodies
	b) Establishment & up-gradation of a national database on forest offences
	c) Strengthen coordination and linkage among law enforcement agencies
	d) Capacity building for field forestry officers to enhance monitoring, investigative and prosecution skills
	e) Promotion of public knowledge and awareness on forest offences
	f) Strengthen implementation mechanism by strict enforcement of rules and regulations
5. Reduce (halt where possible) the drivers of deforestation and forest degradation	<p>a) Prevent and control forest fire in fire sensitive areas</p> <p>b) Ensure that policies on development activities (including roads, urban town expansion) in the country are in consistent with Constitutional mandate of maintaining adequate national forest cover</p> <p>c) Ensure that hydropower development and subsequent do not have perverse impacts on forest cover, including promotion of other renewable energy options such as solar and wind</p>

For the second Module, as an example, one REDD+ action (strengthen stakeholder participation in forest management and conservation) is considered to use BeRT to analyze benefits and risks under safeguard (a) (Table 5, 6 & 7)

Table 6: Risks relating to safeguard (a), i.e. Consistency with national objectives and international agreements

REDD+ action	Risks	Rank of risks	
		Probability	Impact
Strengthen stakeholder participation in forest management and conservation	<p>More marginalized/vulnerable members of communities (gender, social status, different income levels, literacy level, remote communities) may benefit less than others (e.g. in understanding in awareness building; benefiting less from capacity building)</p> <p><b>Overlapping relevance</b> safeguard a) related to consistency with human rights safeguard d) on participation safeguard b) on gender</p>	Medium	High

Table 7: Benefits relating to safeguard (a), i.e. Consistency with national objectives and international agreements

REDD+ action	Benefits	Rank of benefits	
		Probability	Impact
Strengthen stakeholder participation in forest management and conservation	Has the potential to empower the vulnerable parts of society to make decisions on the issues that affect them	Medium	High

Each REDD+ action shall be analyzed against each safeguard to identify possible benefits and risks. BeRT provides key issues to

be considered under each safeguard and some potential questions to be tackled while analyzing risk and benefits.

Next, for the third Module, relevant PLRs can be analyzed using BeRT against each benefit and risk under respective safeguards. Taking another example of a REDD+ action (Conservation of forest landscapes and biodiversity) on safeguard (e) is given below (Table 8) using PLR analysis.

Table 8: Relevant PLRs related to Safeguard (a), i.e. Consistency with national objectives and international agreements

<b>Risk</b>	<p>Increased conservation landscapes result in increased HWC incidences which has implications on agro-ecosystems (crop loss and land fallowing) and limits genetic diversity of livestock (local breeds)</p> <p>Links to safeguard f) through the acceptability of the conservation action. HWC creates a risk for long-term acceptability of the policy</p>
<b>PLRs relevant to this risk</b>	<p>Risk Mitigation</p> <ol style="list-style-type: none"> <li>1. Human-Wildlife Conflict Strategy</li> <li>2. National Forest Policy (2011)</li> <li>3. NBSAP (2014)</li> </ol> <p>Risk reduction</p> <ol style="list-style-type: none"> <li>4. Bhutan Biological Conservation Complex</li> <li>5. National Environmental Protection Act (2007)</li> <li>6. Land Act &amp; Forest Act</li> </ol>
<b>How does this PLR cover this risk? (Addressing)</b>	<ol style="list-style-type: none"> <li>1. Mitigates and manages HWC through species-focused interventions (human-bear, human-elephant)</li> <li>2. Also mitigates &amp; manages HWC in conservation landscapes</li> <li>3. HWC as a critical conservation challenge; NBSAP Target 13 (genetic diversity) and target 3 (positive incentives)</li> <li>4. Sets the basis for PA network and sets up corridors, a source of HWC</li> </ol>

	<ol style="list-style-type: none"> <li>5. Supports establishment of conservation landscapes in which there is higher risk of HWC</li> <li>6. Land Act allows for clearing private forest thereby increasing intervention with wildlife;</li> </ol>
<b>How effectively the PLR is being implemented? (Respecting)</b>	<ol style="list-style-type: none"> <li>1. Being implemented (fencing, HWC wildlife fund) and some institutions have been established</li> <li>2. Integrates HWCS as part of FP</li> <li>3. NBSAP submitted to CBD &amp; adopted as national guiding document for biodiversity (strong normative role)</li> <li>4. Effective: PAs respected in the country</li> </ol>
<b>Conflicting PLRs?</b>	Land Act – earlier private forest, now Land Act allows person to convert forest to agriculture
<b>Identified gaps</b>	<ul style="list-style-type: none"> <li>- Land allocation under Land Act &amp; Forest Act potentially</li> <li>- Endowment fund not sustainable</li> </ul>

*2c. Formulate recommendations to address and respect safeguards including revisions to the design of REDD+ actions*

The BeRT exercises provided an overview of potential benefits and risks.. These form the basis for recommendations for mitigating risks or enhancing benefits, as well as identifying potential sources of information for an SIS to provide information on how safeguards are being addressed and respected. Taking the same example discussed above, the following recommendations can be suggested (Table 9).

A functioning and effective Country Safeguards System will require strong mechanisms for addressing grievances of groups or individuals whose rights may be affected through implementation of the national REDD+ Programme. Grievance redress mechanisms (GRM) must be an integral part of compliance framework to settle disputes between actors when ever called for. Such processes can deliver services in the form of formal judicial or administrative systems such as arbitration, or informal systems such as negotiation, or mediation. Main considerations while

deciding this aspect in a country safeguards system are synergies with existing mechanisms, relevant international obligations and other national initiatives.

Table 9: Recommended strategies and sources of information in relation to safeguard (a)

<p>igation/ Enhancement measures/ Changes in PLR or its implementation or enforcement</p>	<p><b>Reduction of risk through improved planning</b></p> <ul style="list-style-type: none"> <li>- Zoning of PA network in progress</li> <li>- Implementation of PLRs need to consider community participation in PAs for inclusion of local population in the zoning of PAs within their existing limits</li> <li>- Corridors established on the basis of wildlife usage, and could integrate more systematically consideration of local usage.</li> <li>- Land allocation under Land Act &amp; Forest Act could be done in a way that seeks to reduce human-wildlife conflict → Address financial gaps</li> </ul> <p><b>Mitigate HWC through better design of measure</b></p> <ul style="list-style-type: none"> <li>- More research into animal behaviour to strengthen measures in HWC and more research into social dimension of HWC.</li> </ul> <p><b>Managing the risk (through compensation HWC insurance, endowment fund to local communities but not effective as it is too simple)</b></p> <ul style="list-style-type: none"> <li>- Incentivizing local breeds and good herding practices → Rely on good capacity of NBC and its partners</li> <li>- Endowment Fund &amp; Insurance Scheme to be improved</li> </ul> <p>→ Relevance for the Summary of Information</p>
<p>Sources of information for providing information on addressing &amp; respecting the safeguard</p>	<p><b>Addressing:</b> description of measures taken to reduce/mitigate/compensate the risk</p> <p><b>Respecting:</b> Department of Forests and Park Services (DFPS)has record of zoning</p> <ul style="list-style-type: none"> <li>- Number of PAs zoned</li> </ul> <p>National Land Commission overall responsibility</p> <ul style="list-style-type: none"> <li>- Number of meeting with stakeholder</li> </ul> <p>Department of Forests &amp; Park Services (Taskforce in HQ &amp; field) collects data on incidence of HWC:</p> <p>Bhutan Trust Fund for Environmental Conservation/DFPS</p> <ul style="list-style-type: none"> <li>- Number of farmers benefitting from the Fund</li> <li>- Volume of funds</li> </ul> <p>National Biodiversity Centre</p> <ul style="list-style-type: none"> <li>- Inventories of agriculture and trends of losses of local breeds</li> </ul>

*2d. Assessment of PLR effectiveness and implementation*

As a key to the UNFCCC requirements, it is important to assess the effectiveness and implementation of PLRs as part of the ‘respecting’ component. This also relates to certain components of the SESA and preparation of the ESMF, in demonstrating the social and environmental outcomes of the PLRs. Further, in order to analyze the ‘respecting’ part, it is important to analyze existing institutions and capacity and options for strengthening them to improve PLR implementation and enforcement.

*2e. Analyze existing institutions and capacities to implement proposed PLRs*

SNV-REDD’s provides guidance for analyzing responsible institutions and institutional arrangements to implement existing and proposed PLRs. In particular, the guidance helps to clarify who is responsible for ensuring safeguards and their mandates in implementing and enforcing PLRs. Similarly, the compliance framework should guide on various information systems, grievance and redress mechanism and non-compliance mechanisms. Drawing experiences from the frameworks, an example of how these can be analyzed is as shown in Tables 10 and 11

Table 10: Example showing how country’s existing framework can be used for CAS

<b>Cancun Safeguards</b>	<b>Institutional Framework</b>
(e) Consistency with the protection of natural forests and biodiversity	The existing structure of the Ministry of Forests and Agriculture, clarifying roles of Department of Forests and Park Services, National Biodiversity Centre, other sister Departments and their linkages to the National Environment Commission. The proposed Implementation Framework for National Biodiversity Strategies and Action Plan Implementation outlining National Committee on Biodiversity and different Knowledge Groups

Table 11: Example showing how existing grievance redress mechanisms can be used for CAS

Cancun Safeguards	Example of existing grievance and redress mechanisms
(b) Transparent and effective national forest governance structures, taking in to account national legislation and sovereignty	If you are close to Gup’s office, you could directly visit the office. For the remote village or community, the normal channel is through Tshogpa who is the elected/appointed village leader by the community members. Tshogpas mediate or negotiate the issue and if not settled, Tshogpas take up the issue with the Gup of Block (Geog). The Gup could settle it or forward to the district court depending on the nature of grievances/complaints. If disputes are not resolved at the village, Geog or district levels, they can be referred to the national level before the High Court and Supreme Court. An alternative local community complaint mechanism is provided via a parallel Prime Minister Grievance Cell. This could be another complaint mechanism for REDD+ grievances resolution (WMD 2015)

### Step 3. Development of Safeguards Information System.

#### 3a. Mapping and analysis of existing information systems and sources

There are several platforms or systems serving as potential sources for safeguards information. However, based on the above steps, there will be a clear indication of how a country’s safeguards information should look like. The results from the BeRT exercise, PLR review and selected PAMs will give an overview or detail of information needs to address various requirements. The available information and their linkages and relevance should be mapped and linked to relevant safeguards.

#### 3b. SESA & development of ESMF

The Strategic Environmental and Social Assessment (SESA) will be used to assess the potential impacts from the national REDD+ Programme and policies, formulate options and mitigation

strategies, and enhance the decision-making process around the design of the national REDD+ Strategy. The SESA allows for incorporation of environmental and social considerations into the REDD Readiness process at a strategic level, offers a platform for consultation to integrate social and environmental concerns into the policy-making process. The SESA will be complemented by an Environmental and Social Management Framework (ESMF), which will guide potential investments in REDD+ Demonstration Activities to adequately manage potential environmental and social impacts in compliance with safeguards policies.

The SESA in the Readiness Mechanism phase should contribute to inform the design of the national REDD+ policy framework, including the National REDD+ Strategy. The SESA provides a participatory platform for stakeholders to build an understanding of the current situation/issues regarding REDD+ activities, and identify future options/opportunities.

The Environmental and Social Management Framework (ESMF) will describe the risks and potential impacts associated with the REDD+ activities and will include adequate safeguard measures. The ESMF will help to provide a comprehensive framework on how to address potential adverse social and environmental impacts of REDD+ activities. The ESMF for Bhutan may contain, but not limited to, the following components:

- i. Strategies and procedures to implement the ESMF
- ii. Environmental Management Framework for environmental safeguards and measures
- iii. Social Management Framework for social safeguards and measures
- iv. Cultural Heritage Management Framework for cultural aspects of safeguards and measures
- v. Screening, monitoring and evaluation system for social, environmental and cultural impacts

- vi. Linkages to national and other relevant safeguards particularly Cancun safeguards

*3c. Set up a system for information generation and sharing on safeguards including indicators*

The UNFCCC requires countries to develop a system to provide information on how the safeguards are addressed and respected when undertaking REDD+ activities. In essence, an existing platform such as Forest Information Management System (FIMS) under the Department of Forests and Park Services could aggregate and package safeguards related information for various reporting requirements. In addition, existing information systems in the country (as discussed in Section 2.3.4) may provide relevant contributions to the SIS. The ongoing development of the NFMS will also provide relevant information and vital linkages to the information system.

Based on the above steps, after mapping existing systems and information sources, additional information may be required to show how safeguards are being addressed and respected. Various Cancun, World Bank and other safeguards related information should be gathered. The UN-REDD Programme guidance (UN-REDD Programme 2015b) suggests the following, but not limited to, factors on information structure:

- The scope of safeguard application chosen by the country;
- The scale of REDD+ intervention (national, sub-national or local);
- The specific objectives of the SIS and the different end users of the information; and
- The capacity and resources available to implementing institutions.

And, two options present themselves on how to structure information in a SIS:

- A narrative description of how the key elements of each safeguard have been addressed and respected, through policies, laws, regulations and their implementation on the ground. This would likely rely on the clarification of the safeguards; or
- A hierarchical structure of principles, criteria and/or indicators (PCI).

### *3d. Generation of SoI*

A summary of information (SoI) on how all the Cancun safeguards are addressed and respected throughout REDD+ implementation is one of the three key requirements related to safeguards that countries need to meet under the UNFCCC to be eligible for results-based payments. The SoI should be submitted to the UNFCCC via National Communications (or voluntarily, directly to the UNFCCC REDD+ Web Platform), with the same frequency as their National Communications and starting when REDD+ activities are first implemented (Decision 12, COP17). A summary of safeguards information might take the form of a simple narrative summary, a summary of information by indicators, or a detailed PCI framework.

The COP21 in Paris concluded the discussion on further guidance on SIS and the countries are encouraged when providing the SoI to include the following elements, where appropriate:

- Information on national circumstances relevant to addressing and respecting the safeguards;
- A description of each safeguard in accordance with national circumstances;
- A description of existing systems and processes relevant to addressing and respecting safeguards, including the information systems referred to in decision 12/CP.17, in accordance with national circumstances; and

- Information on how each of the safeguards has been addressed and respected, in accordance with national circumstances.

The SoI for Bhutan may contain, but not limited to, the following components;

- i. Information on national circumstances;
- ii. Description of each safeguard in the national context (clarifying Cancun Safeguards);
- iii. Description of existing systems and PLRs (addressing safeguards through relevant PLRs);
- iv. Implementation or enforcement of PLRs (respecting safeguards through effective implementation or enforcement, monitoring and documentation);
- v. Linkages to national and other relevant safeguards; and
- vi. Design and implementation of SIS.

## **3 NAVIGATING THE ROADMAP**

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### **3.1 Implementation and reporting framework**

While the Roadmap provides some guidance on the steps to implement a CAS, new knowledge and experience in this field is expected. This Roadmap is therefore intended to be adaptive and amendable to revisions with new insights and experience gained through piloting and implementation.

The major issues in implementing REDD+ for developing countries are technical and governance challenges. While a multiple benefit approach is not only cost-effective, but also in line with the governance principles of Gross National Happiness where environmental preservation also creates a conducive environment for socio-economic development, promotion of culture and good governance.

A Roadmap to implementing a CAS must therefore aspire to achieve both as a requirement under international conventions and as a national initiative to address and respect safeguards mandated under the REDD+ readiness process. The Roadmap timeline presented below also ensures synergies with other processes so that adequate understanding of concerned stakeholders is ensured.

#### **3.1.1 Required governance structures and proposed implementation framework**

The review conducted as part of the R-PP formulation, indicated that the existing institutional mechanism for the implementation of REDD+ is fairly adequate and encompassing and can serve the objectives of a CAS also. REDD+ implementation is a multi-sectoral and multi-stakeholder approach both at local and national levels. The R-PP therefore provides for guidance that considers

appropriate institutional, financial, legal and governance arrangements. However, as Safeguards demand an even more rigorous review and assessment of the institutional arrangements to implement policies and enforce the legal framework, and its functionality in practice can be of added value to identify any gaps and take corrective measures. Such an assessment can also contribute to design and implement an institutional capacity building Programme related to safeguards targeting government and non-government institutions and other stakeholders identified in the PLR gap analysis. In addition to the existing institutional mechanisms of various agencies that impact on REDD+ activities, a governance and institutional framework has been developed for REDD+ planning and implementation Figure 4

The Bhutan REDD+ Secretariat is housed under the Watershed Management Division, Department of Forests and Park Services. There is a National REDD+ Task Force comprising key stakeholder agencies including government and non-governmental organizations. The National Task Force serves as an official national forum for discussions and coordination matters related to the REDD+ Programme in Bhutan. In addition, there are three Technical Working Groups.

- I. Technical Working Group on National Forest Monitoring System and Forest Reference (Emission) Levels (NFMS-RELS/RLs)
- II. Technical Working Group on Strategy Options
- III. Technical Working Group on Safeguards, Governance and Benefit Distribution Mechanisms

The role of these Technical Working Groups is to provide input for implementing the REDD+ programme. The details of the National REDD+ Task Force and the three Technical Working Groups are detailed out in Annex 5.4, 5.5, 5.6 and 5.7

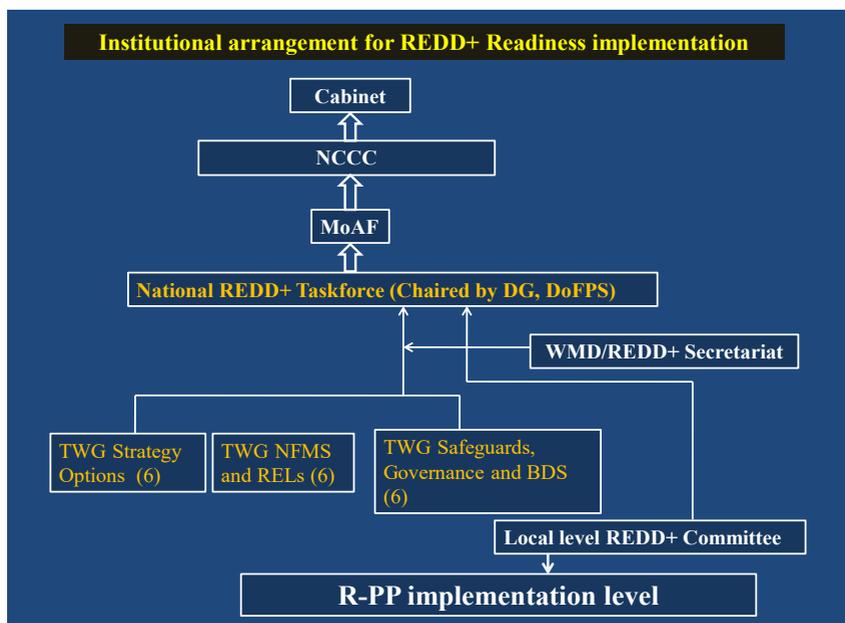


Figure 4: Indicative institutional framework for implementation of Country Safeguard System

The TWG on Safeguards, Governance and Benefit Distribution Systems will guide the implementation of this Roadmap. In line with this Roadmap and evolving lessons, the TWG will support the assessment and development of CSS for Bhutan and at the same time ensure that lessons and experiences are assessed in the context of REDD+ requirements. The TWG will also ensure that recommended steps in the CAS including the development of a SIS and preparation of a SoI are followed through a consultative process.

### 3.1.2 Stakeholder engagement plan

There are adequate practices in place in the forestry sector to engage stakeholders in planning and implementation. For example, the Community Forest Management Groups are responsible for planning, managing and implementing activities. Similarly, forest

management units, watershed management and protected areas planning and implementation follow a participatory approach and various surveys involve local communities and other key forestry stakeholders. For REDD+ planning and implementation, the Department of Forests Park Services has developed Stakeholder Engagement Guidelines which should guide the stakeholder engagement and process for REDD+ Safeguards as well. The Guidelines provide clear steps to plan and implement a consultation and participation process that will ensure effective engagement of all the relevant stakeholders.

### **3.2 TIMELINE AND MILESTONES**

Drawing from the preceding chapters, some recommendations in the form of important decisions and actions needed to accomplish the country led safeguards system are provided in Table 12 as a tentative roadmap with required actions and expected milestones.

Table 12: Timelines for the development of CAS indicating important milestones

National REDD+ Process	Timeline	Safeguards Elements
	Existing studies (2015)	Safeguards Roadmap National Safeguards Stakeholder Body Grievance Redress Mechanisms
Study on Drivers of Deforestation and Forest Degradation	Stakeholder Engagement Guidelines Corruption Risk Assessment PLR Study Mar 2016 Apr 2016 May 2016 Jun 2016 Jul 2016 Aug 2016 Sep 2016 Oct 2016 Nov 2016 Dec 2016	
FRL and NFMS	2017	SESA – ESMF Process PLR Gap Analysis and Finalization Benefit and Risk Analysis of the PAMs
Selection of REDD+ Candidate Activities & PAMs		Country-led Approach to Safeguards - National Goal & Scope - National Safeguards - Safeguards Framework
National Strategy/Action Plan		
National Strategy and Action Plan	National Forest Monitoring System	Forest Reference Level
		Safeguards Information System

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## 5 ANNEXURES

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### **5.1 UNFCCC CoP decisions related to Safeguards** **Decision 1/CP.16 (Cancun, 2010)**

69. *Affirms* that the implementation of the activities referred to in paragraph 70 below should be carried out in accordance with annex I to this decision, and that the safeguards referred to in paragraph 2 of annex I to this decision should be promoted and supported;

71. *Requests* developing country Parties aiming to undertake the activities referred to in paragraph 70 above, in the context of the provision of adequate and predictable support, including financial resources and technical and technological support to developing country Parties, in accordance with national circumstances and respective capabilities, to develop the following elements:

- d) A system for providing information on how the safeguards referred to in appendix I to this decision are being addressed and respected throughout the implementation of the activities referred to in paragraph 70 above, while respecting sovereignty;

72. *Also requests* developing country Parties, when developing and implementing their national strategies or action plans, to address, inter alia, the drivers of deforestation and forest degradation, land tenure issues, forest governance issues, gender considerations and the safeguards identified in paragraph 2 of appendix I to this decision, ensuring the full and effective participation of relevant stakeholders, inter alia indigenous peoples and local communities;

76. *Urges* Parties, in particular developed country Parties, to support, through multilateral and bilateral channels, the development of national strategies or action plans, policies and measures and capacity-building, followed by the implementation of national policies and measures and national strategies or action

plans that could involve further capacity-building, technology development and transfer and results-based demonstration activities, including consideration of the safeguards referred to in paragraph 2 of appendix I to this decision, taking into account the relevant provisions on finance including those relating to reporting on support;

When undertaking the activities referred to in paragraph 70 of this decision, the following safeguards should be promoted and supported:

- a) That actions complement or are consistent with the objectives of national forest Programmes and relevant international conventions and agreements;
- b) Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;
- c) Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;
- d) The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities, in the actions referred to in paragraphs 70 and 72 of this decision;
- e) That actions are consistent with the conservation of natural forests and biological diversity, ensuring that the actions referred to in paragraph 70 of this decision are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;
- f) Actions to address the risks of reversals;
- g) Actions to reduce displacement of emissions.

## **Decision 12/CP.17 (Durban, 2011)**

Preamble: *Noting* that guidance on systems for providing information on how safeguards referred to in appendix I to decision 1/CP.16 are addressed and respected should be consistent with national sovereignty, national legislation and national circumstances,

I. Guidance on systems for providing information on how safeguards are addressed and respected

1. *Notes* that the implementation of the safeguards referred to in appendix I to decision 1/CP.16, and information on how these safeguards are being addressed and respected, should support national strategies or action plans and be included in, where appropriate, all phases of implementation referred to in decision 1/CP.16, paragraph 73, of the activities referred to in paragraph 70 of the same decision;

2. *Agrees* that systems for providing information on how the safeguards referred to in appendix I to decision 1/CP.16 are addressed and respected should, taking into account national circumstances and respective capabilities, and recognizing national sovereignty and legislation, and relevant international obligations and agreements, and respecting gender considerations:

3. *Agrees also* that developing country Parties undertaking the activities referred to in decision 1/CP.16, paragraph 70, should provide a summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected throughout the implementation of the activities;

4. *Decides* that the summary of information referred to in paragraph 3 above should be provided periodically and be included in national communications, consistent with relevant decisions of the Conference of the Parties on guidelines on national

communications from Parties not included in Annex I to the Convention, or communication channels agreed by the Conference of the Parties;

5. *Requests* the Subsidiary Body for Scientific and Technological Advice, at its thirty-sixth session, to consider the timing of the first presentation and the frequency of subsequent presentations of the summary of information referred to in paragraph 3 above, with a view to recommending a decision on this matter for adoption by the Conference of the Parties at its eighteenth session;

6. *Also requests* the Subsidiary Body for Scientific and Technological Advice, at its thirty-sixth session, to consider the need for further guidance to ensure transparency, consistency, comprehensiveness and effectiveness when informing on how all safeguards are addressed and respected and, if appropriate, to consider additional guidance, and to report to the Conference of the Parties at its eighteenth session;

#### **Decision 9/CP.19 (Warsaw, 2013)**

4. *Agrees* that developing countries seeking to obtain and receive results-based payments in accordance with decision 2/CP.17, paragraph 64, should provide the most recent summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, paragraph 2, have been addressed and respected before they can receive results-based payments;

11. *Decides* that the information hub will contain, as reported through the appropriate channels under the Convention:

- c) The summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected, as referred to in decisions - /CP.199 and 12/CP.17, chapter I;

### **Decision 12/CP.19 (Warsaw, 2013)**

The timing and the frequency of presentations of the summary of information on how all the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected

*The Conference of the Parties, Recalling* decisions 17/CP.8, 1/CP.16, 2/CP.17 and 12/CP.17, *Also recalling*, in particular, decision 12/CP.17, paragraph 5,

1. *Reiterates* that according to decision 12/CP.17, paragraph 3, developing country Parties undertaking the activities referred to in decision 1/CP.16, paragraph 70, should provide a summary of information on how all of the safeguards referred to in decision 1/CP.16, appendix I, are being addressed and respected throughout the implementation of the activities;

2. *Also reiterates* that according to decision 12/CP.17, paragraph 4, the summary of information referred to in paragraph 1 above should be provided periodically and be included in national communications, or communication channels agreed by the Conference of the Parties;

3. *Agrees* that the summary of information referred to in paragraph 1 above could also be provided, on a voluntary basis, via the web platform on the UNFCCC website;

4. *Decides* that developing country Parties should start providing the summary of information referred to in paragraph 1 above in their national communication or communication channel, including via the web platform of the UNFCCC, taking into account paragraph 3 above, after the start of the implementation of activities referred to in decision 1/CP.16, paragraph 70;

5. *Also decides* that the frequency of subsequent presentations of the summary of information as referred to in paragraph 2 above

should be consistent with the provisions for submissions of national communications from Parties not included in Annex I to the Convention and, on a voluntary basis, via the web platform on the UNFCCC website.

## 5.2 UN-REDD Framework for Clarifying Cancun Safeguards

Safeguard	Possible Key Issues
<p><b>Safeguard (a) - [REDD+] actions complement or are consistent with the objectives of national forest Programmemes and relevant international conventions and agreements</b></p>	<ul style="list-style-type: none"> <li>• Consistency with international commitments on climate; contribution to national climate policy objectives, including those of mitigation and adaptation strategies;</li> <li>• Consistency with the achievement of the Millennium Development Goals and post-2015 Sustainable Development Goals; contribution to national poverty reduction strategies;</li> <li>• Consistency with international commitments on the environment; contribution to national biodiversity conservation policies (including National Biodiversity Strategies and Action Plans) and other environmental and natural resource management policy objectives;</li> <li>• Consistency with State’s human rights obligations under international law, including the core international human rights treaties<sup>6</sup> and ILO 169, where applicable;</li> </ul>

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<sup>6</sup> These include the following: International Convention on the Elimination of All Forms of Racial Discrimination (1969), International Covenant on Civil and Political Rights (1976), International Covenant on Economic, Social and Cultural Rights (1976), Convention on the Elimination of All Forms of Discrimination against Women (1981), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987), Convention on the Rights of the Child (1990), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (2003), International Convention for the Protection of All Persons from Enforced Disappearance (2010), Convention on the Rights of Persons with Disabilities (2008).

<b>Safeguard</b>	<b>Possible Key Issues</b>
	<ul style="list-style-type: none"> <li>• Consistency and complementarities with the objectives of the national forest Programme;</li> <li>• Coordination among agencies and implementing bodies for REDD+, national forest Programmes and national policy(ies) that enact the relevant international conventions and agreements;</li> <li>• Consistency with other relevant international conventions and agreements.</li> </ul>
<p><b>Safeguard (b) - Transparent and effective national forest governance structures, taking into account national legislation and sovereignty</b></p>	<ul style="list-style-type: none"> <li>• Access to information</li> <li>• Accountability</li> <li>• Land tenure</li> <li>• Enforcement of the rule of law</li> <li>• Adequate access to justice, including procedures that can provide effective remedy for infringement of rights, and to resolve disputes (i.e., grievance mechanisms) (NB: overlaps with Safeguard (c)).</li> <li>• Coherency of national/subnational legal, policy and regulatory framework for transparent and effective forest governance.</li> <li>• Corruption risks.</li> <li>• Resource allocation/capacity to meet institutional mandate.</li> <li>• Participation in decision-making processes (overlaps with Safeguards (c) and (d)).</li> </ul>
<p><b>Safeguard (c) - Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national</b></p>	<ul style="list-style-type: none"> <li>• Definition/determination of indigenous peoples and local communities.</li> <li>• Right to compensation and/or other remedies in the case of involuntary resettlement and/or economic displacement.</li> <li>• Right to share in benefits when appropriate.</li> <li>• Right to participate in decision making on issues that may affect them.</li> <li>• Free, prior and informed consent (FPIC).</li> <li>• Recognition and protection of indigenous peoples' and local communities' traditional</li> </ul>

<b>Safeguard</b>	<b>Possible Key Issues</b>
<p><b>circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples</b></p>	<p>knowledge, cultural heritage, intellectual property.</p>
<p><b>Safeguard (d) - The full and effective participation of relevant stakeholders, in particular indigenous peoples and local communities [in REDD+ actions]</b></p>	<ul style="list-style-type: none"> <li>• Identification of relevant stakeholders - those who may affect, or be affected by, specific REDD+ actions.</li> <li>• Legitimacy and accountability of bodies representing relevant stakeholders.</li> <li>• Mechanisms or platforms to facilitate participatory processes during 1) design, implementation and monitoring of REDD+ architecture, particularly national strategies/action plans, and associated social and environmental safeguard measures.</li> <li>• Functional feedback and grievance redress mechanisms.</li> <li>• Recognition and implementation of procedural rights, such as access to information, consultation and participation (including FPIC) and provision of justice.</li> <li>• Transparency and accessibility of information related to REDD+ (NB: overlaps with Safeguard (b)).</li> </ul>
<p><b>Safeguard (e) - [REDD+] actions are consistent with the conservation of natural forests and biological diversity, ensuring that REDD+ actions are not used for the conversion of</b></p>	<ul style="list-style-type: none"> <li>• Definition of natural forest and understanding of the distribution of natural forest.</li> <li>• Understanding the potential impacts of REDD+ policy options on biodiversity and forest ecosystem services.</li> <li>• Conservation of natural forests; avoiding degradation, or conversion to planted forest (unless as part of forest restoration).</li> </ul>

<b>Safeguard</b>	<b>Possible Key Issues</b>
<b>natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits</b>	<ul style="list-style-type: none"> <li>• Identification of opportunities to incentivise enhanced environmental and social benefits through design, location and implementation of REDD+ actions.</li> <li>• Conservation of biodiversity outside forests.</li> </ul>
<b>Safeguard (f) - Actions to address the risks of reversals</b>	<ul style="list-style-type: none"> <li>• Analysis of the risk of reversals of emissions reductions, also referred to as 'non-permanence'.</li> <li>• National Forest Monitoring System (NFMS) may be designed to detect and provide information on reversals.</li> <li>• Plausible reference scenarios for REDD+ that give a reasonable indication of the risk of deforestation in the absence of REDD+. If this is underestimated, then REDD+ successes may be at a greater risk of reversal.</li> </ul>
<b>Safeguard (g) - Actions to reduce displacement of emissions</b>	<ul style="list-style-type: none"> <li>• Actions that address the underlying and indirect drivers of deforestation and land use change rather than only direct drivers at specific locations</li> <li>• Actions to reduce displacement of emissions from specific REDD+ actions at local (e.g. across REDD+ project boundaries) or national (to other jurisdictions within the country) levels</li> <li>• National Forest Monitoring Systems designed to detect and provide information on displacement at national, subnational and local levels</li> <li>• Analysis of possible reasons for displacement of emissions, such as ineffective implementation of REDD+ actions, or REDD+ actions that are not designed to</li> </ul>

Safeguard	Possible Key Issues
	<p>address underlying (local, subnational, national) drivers of deforestation and forest degradation</p> <ul style="list-style-type: none"> <li>• Selection and design of REDD+ actions taking into consideration the risk of emissions displacement; displacement risk analysis for the selected REDD+ actions, including risk of emission displacement to other ecosystems, e.g. through draining of peatlands for agricultural use or displacement of pressures on forests to a neighbouring jurisdiction.</li> </ul>

### 5.3 Results of the Initial PLR Review for Bhutan

Name of PLR	Complementary clause to REDD+ safeguards	UNFCCC REDD+ Safeguards
Constitution of the Kingdom of Bhutan	<p>✓ Article 5: Every Bhutanese as trustee of Kingdom's natural resources and environment, minimum 60% of the country to be maintained under forest cover (clause 3), any part of the country may be declared protected areas (clause 5).</p> <p>Article 7 on right to information</p> <p>✓ Article 8: fundamental duties of every citizen to preserve, protect and respect the environment.</p> <p>Article 22: empowers local government to facilitate the people participation in the management of their social, economic and environmental well-being.</p>	<p>Safeguard E</p> <p>Safeguard b Safeguard B Safeguard D</p>
Local Governments'	<p>✓ involvement of local communities and community</p>	<p>Safeguard B Safeguard D Safeguard D</p>

Act of Bhutan 2007	<p>organizations in local governance</p> <ul style="list-style-type: none"> <li>✓ Local governance leaders elected by local people</li> <li>✓ Consultation of local people prior to any decisions</li> <li>✓ transparency and accountability for any decisions of local government</li> </ul>	Safeguard B
Dzongkhag Yargay Tshogdu Chathrim 2002	<ul style="list-style-type: none"> <li>✓ make recommendations with major environmental impacts</li> <li>✓ empowers DYT for designation and protection of dzongkhag parks/sanctuaries</li> </ul>	Safeguard B Safeguard B
Economic Development Policy of the Kingdom of Bhutan 2010	<ul style="list-style-type: none"> <li>✓ Incentives for promotion of green technology</li> <li>✓ Environmental conservation efforts as main drivers for "Brand Bhutan" theme</li> <li>✓ All waste management plants exempted from Custom duty and sales tax for 15 years and land provided on nominal lease.</li> </ul>	Safeguard E Safeguard E
National Forest Policy 2011	<ul style="list-style-type: none"> <li>✓ Facilitates policy coordination in the integrated conservation and sustainable forest management including participation and livelihoods</li> </ul>	Most safeguards
Forest and Nature Conservation Act 1995	<ul style="list-style-type: none"> <li>✓ provides legal definition of forests</li> <li>✓ Restricts issuance of permits without management plan which is good for environment</li> <li>✓ Provisions for restrictions of activities that affect the environment (environmental safeguards).</li> </ul>	Safeguard B Safeguard E
Forest and Nature	<ul style="list-style-type: none"> <li>✓ mandatory requirement to prepare management plans</li> </ul>	

Conservation Rules 2006	<ul style="list-style-type: none"> <li>✓ Provisions for restrictions of activities that affect the environment (environmental safeguards) in GRF, CF</li> </ul>	
National Environmental Protection Act 2007	<ul style="list-style-type: none"> <li>✓ Protection of forests, biodiversity, and ecosystem</li> <li>✓ 60% forest cover</li> </ul>	Safeguard E
Biodiversity Act of Bhutan 2003	<ul style="list-style-type: none"> <li>✓ production, certification, and marketing of genetic and associated traditional knowledge</li> </ul>	Safeguard C
Waste Prevention and Management Act of Bhutan 2009	<ul style="list-style-type: none"> <li>✓ Right to complain to National Environmental Commission on violations of the act</li> </ul>	Safeguards F & G
Environmental Assessment Act 2000	<ul style="list-style-type: none"> <li>✓ environmental clearance necessary prior to approval and commencement of any developmental activities.</li> </ul>	Safeguard E
The Land Act of Bhutan 2007	<ul style="list-style-type: none"> <li>✓ Lease GRF land for various uses to enhance public and local participation</li> <li>✓ Lease of tsamdros and sokshings encouraged</li> </ul>	Safeguards C, D & E
Food and Nutrition Security Policy of the Kingdom of Bhutan 2012	<ul style="list-style-type: none"> <li>✓ Sustainable management of natural resources for food production</li> <li>✓ Strengthens watershed protection for clean and safe drinking water</li> </ul>	Safeguard E
The Plant Quarantine Act of Bhutan 1993	<ul style="list-style-type: none"> <li>✓ Prevents introduction of pests in to the country</li> </ul>	F & G
The Seeds Act of Bhutan 2000	<ul style="list-style-type: none"> <li>✓ Promotes seed industry to enhance rural income and livelihood (quality seeds through certification).</li> </ul>	Safeguards C

Cooperatives Act of Bhutan 2009	✓ Formation of cooperatives and farmers groups , enhance farmers participation	Safeguard D
Bhutan Sustainable Hydropower Development Policy 2008	✓ MoAF for sustainable watershed management ✓ Promotes hydropower development as renewable and clean form of energy	Safeguard A
The Water Act of Bhutan 2011	✓ Promotes conservation and wise use of wetlands of national and international importance	Safeguard A
Electricity Act of Bhutan 2001	✓ promote development of renewable energy sources	Safeguard A

## 5.4 Terms of reference for national REDD+ Task Force

### Purpose

The purpose of the REDD+ Taskforce is to serve as an official national forum for discussion and coordination of matters related to REDD+ Programmes in Bhutan and to decide and recommend actions for consideration by MoAF.

### Members

The Task Force will be chaired by the Director General, Department of Forests and Park Services and will consist of members from the following agencies:

1. Department of Forests and Park Services
2. Gross National Happiness Commission
3. Department of Local Governance, Ministry of Home & Cultural Affairs
4. Policy and Planning Division, Ministry of Agriculture and Forests
5. Royal Society for Protection of Nature
6. Tarayana Foundation
7. Department of Public Accounts, Ministry of Finance

## 8. National Commission for Women and Children

Besides the above members, the Team Leader of Technical Working Groups and representative from other relevant agencies will also be invited to the Task Force meeting as and when required.

### **Roles and Responsibilities**

The overall roles and responsibilities of the REDD+ Taskforce is to provide recommendation on REDD+ Programmes to the Ministry through the Chair Person of Task Force, while also carrying out the following:

1. Inform NCCC through REDD+ Taskforce Chairperson
2. To oversee the work of the three TWGs including M&E
3. Provide policy support
4. Review and approve annual work plan for REDD+ readiness activities
5. Ensure that REDD+ activities are aligned to National plans and policies
6. The REDD+ Taskforce will make recommendations to DoFPS and/or MoAF to ensure smooth implementation of REDD+ activities, policies and Programmes in Bhutan.

The REDD+ Task Force will meet twice in a year or as and when required.

## **5.5 Terms of Reference for Technical Working Group on National Forest Monitoring System and Forest Reference (Emission) Levels (NFMS-RELS/RLs)**

### **Objectives**

The objectives of the Technical Working Group are to 1) to support the assessment and development of approaches to NFMS development and implementation, 2) ensure that lessons and experiences from current forest monitoring systems in Bhutan are incorporated into the NFMS design; and that lessons from similar analyses in other countries are integrated into recommendations for Bhutan's system, and 3) assess and support the establishment of a system to develop and implement RELS/RLs in Bhutan.

### **Members**

The Chief Forestry Officer, FRMD is the Team Leader of TWG on NFMS and REL and the group will consist of members from following agencies:

1. Forest Resource Management Division
2. Ugyen Wangchuk Institute for Conservation and Environment
3. Coordinator, National Forest Inventory, FRMD
4. National Land Commission
5. National Environment Commission
6. Ministry of Economic Affairs
7. Ministry of Works and Human Settlement

### **Responsibilities**

The TWG is responsible for supporting the development of proposals for 1) Bhutan's NFMS (including subnational approaches, as necessary, as an interim measure), including institutional arrangements; 2) approaches to developing RELS/RLs in Bhutan (with subnational RELS/RLs being considered, as necessary, as an interim measure). Technical work areas will include (but not limited to);

- Developing National Forest Monitoring System-Action Plan
- Develop proposals for elements of a national approach for the development and implementation of Bhutan's NFMS and RELs/RLs;
- Design a consultative process for establishing consensus on Bhutan's NFMS and RELs/RLs;
- Discuss and propose approaches to integrated community forest monitoring into Bhutan's NFMS; and
- Review proposals for REDD+ NFMS and RELs/RLs in other countries.

## **5.6 Terms of reference for REDD+ TWG Safeguards**

### **Objectives**

The objectives of the TWG are to 1) to support the assessment and development of approaches to safeguards as part of Bhutan's REDD+ Readiness process, and 2) ensure that lessons and experiences from current or previous benefit distribution systems in Bhutan are assessed in the context of REDD+ requirements; and that lessons from similar analyses in other countries are integrated into recommendations for a REDD+ distribution system in Bhutan.

### **Members**

The Dy. Chief Forestry Officer of Nature Recreation and Eco-tourism Division is the Team Leader of the Technical Working Group on REDD+ Safeguards and the group is represented by following agencies:

1. Nature Recreation and Eco-tourism Division
2. Watershed Management Division
3. Council for RNR research of Bhutan
4. Bhutan Trust Fund for Environmental Conservation
5. Social Forestry and Extension Division
6. College of Natural Resources
7. Ministry of Finance (special invitee)

8. Chairman from REDD+ local level committee or local institutions (special invitee)

### **Responsibilities**

The TWG is responsible for supporting the development of proposals for 1) REDD+ safeguards (including indicators) and systems for providing information on the safeguards; and 2) a REDD+ BDS for Bhutan. Technical work areas will include (but not be limited to):

- Develop proposals for elements of a national approach to the implementation of REDD+ safeguards;
- Design a consultative process for drafting safeguards and safeguards information systems that ensure effective broad-based stakeholder participation;
- Review proposals for REDD+ benefit distribution systems in other countries;
- Develop preliminary proposals for benefit distribution through broad-based consultations.

## **5.7 Terms of reference for REDD+ TWG strategic options**

### **Objectives**

The objectives of the TWG are to lead discussions and generate proposals for strategy options to implement REDD+ activities in Bhutan through a consultative process, including for the design of demonstration activities, for subsequent review by the Taskforce.

### **Members**

The Dy. Chief Forestry Officer, Social Forestry and Extension Division is the Team Leader of Technical Working Group on REDD+ Strategy Options and representatives from following agencies will constitute the group:

1. Social Forestry and Extension Division
2. Wildlife Conservation Division

3. National Soil Service Centre, Department of Agriculture
4. Renewable Natural Resources-Research Development Centre, Yusipang
5. Forest Protection and Enforcement Division
6. Department of Livestock
7. Natural Resources Development Corporation Ltd.

### **Responsibilities**

The TWG is responsible for supporting the development of proposals for strategy options to implement REDD+ activities in Bhutan. Technical work areas will include (but not be limited to):

- Discuss and propose the selection of the REDD+ activities to be implemented in Bhutan;
- Define a consultative process for designing and implementing REDD+ strategies, including supporting the organization of consultation workshops and seminars;
- Develop proposals for strategies and concrete actions to implement REDD+ activities in Bhutan, including demonstration activities at the national and/or sub-national level, and means to learn and apply lessons from demonstration activities;
- Carrying out or commissioning an analysis of the climate change mitigation impacts of different strategy options.

## 5.8 Important steps and elements including available tools for CAS (Peskestt & todd 2013)

Step	Detailed activities	UN-REDD tools/guidelines/ methodologies	Explanation of how the tools contribute to the activity
1	Defining goals of the country safeguards approach	<ul style="list-style-type: none"> <li>• Social and Environmental Principles and Criteria SEPC</li> <li>• UN-REDD/FCPF Stakeholder Engagement Guidelines and UN-REDD Guidelines</li> <li>• FPIC</li> </ul>	<p>Provides more detailed criteria that can be used to ‘unpack’ the Cancun safeguards</p> <p>Provides guidance on how participation of indigenous peoples and other forest dependent communities can be ensured in REDD+ schemes, including how to apply the principle of FPIC; could help countries to define such goals in their approaches</p>
2	Gap analysis of existing PLRs	<ul style="list-style-type: none"> <li>• Benefits and Risk Tool (BeRT)</li> <li>• Participatory Governance Assessments</li> </ul>	<p>Provides a list of questions across a broad range of issues in order to assess existing PLRs</p> <p>Provides governance data based on extensive stakeholder contributions, which serves as a basis for improvements in governance; can be used by governments in their planning and policy-making</p>

			<ul style="list-style-type: none"> <li>Guidance on Conducting REDD+ Corruption Risk Assessment</li> </ul>	<p>Provides a methodology and a more detailed framework (compared to BeRT) for assessing corruption risks in REDD+</p>
			<ul style="list-style-type: none"> <li>UN-REDD FPIC Guidelines</li> </ul>	<p>Provides a framework for applying the principle of FPIC at community and national levels; could be adopted in REDD+ PLRs and adapted to national context</p>
		Development of new PLRs (if necessary)	<ul style="list-style-type: none"> <li>Guidelines on Strengthening/ Establishing National-Level Grievance Mechanisms</li> </ul>	<p>Provides guidance on how to assess and strengthen existing PLRs and institutional capacity to address REDD+ related grievances</p>
			<ul style="list-style-type: none"> <li>LEG-REDD+</li> </ul>	<p>Provides a participatory law development methodology for formulating legal and policy reforms and drafting new PLRs in response to REDD+</p>
		Gap Analysis of Existing Information Systems	<ul style="list-style-type: none"> <li>Participatory Governance Assessments</li> </ul>	<p>Provides a process through which existing governance and social information systems can be evaluated using a participatory approach (although it is not specifically designed to do this)</p>
		Indicators	<ul style="list-style-type: none"> <li>Participatory Governance Assessments</li> </ul>	<p>Provides an overall approach for developing governance indicators for</p>
<b>3</b>	<b>SIS</b>			

			REDD+ schemes through a participatory approach
		<ul style="list-style-type: none"> <li>• Framework for assessing and monitoring forest governance</li> </ul>	Provides a tool for designing robust and comprehensive sets of governance indicators
	Methodologies for collection of information	<ul style="list-style-type: none"> <li>• Draft manual on the collection of forest governance data</li> </ul>	Provides draft guidelines that could be used by government in establishing aspects of the SIS that are relevant to biodiversity
			Provides a range of practical considerations, methods and available resources for collecting governance data

